

B 151 - Affidavit of Service of Summons or Subpoena: Personal or Alternative
Methods: Corp. or Ind.; Military Service. 10 pt. type, 1-951988 JULIUS BLUMBERG, INC.,
Publisher, NYC 10013US DISTRICT COURT SOUTHERN DISTRICT
COUNTY OF NEW YORKGILBERTO PACHECO, et al,
against

Plaintiffs)

Index No. 12 CV 6664

AFFIDAVIT OF
SERVICE OF SUMMONS
AND COMPLAINT

SHNY RESTAURANT GROUP LLC, et al.,

Defendant(s)

STATE OF NEW YORK, COUNTY OF QUEENS,

SS: The undersigned, being duly sworn, deposes and says; deponent is not a

party herein, is over 18 years of age and resides at Forest Hills, N.Y.

That on September 4, 2012 at 12:00 M., at 1460 Second Avenue, New York, New York 10021.

deponent served the within summons, and complaint on Eytan Sugarman.

defendant therein named,

INDIVIDUAL

1 ☐

by delivering a true copy of each to said defendant personally; deponent knew the person so served to be the person described as said defendant therein.

CORPORATION

2 ☐

a corporation, by delivering thereat a true copy of each to personally, deponent knew said corporation so served to be the corporation described in said summons as said defendant and knew said individual to be a managing agent thereof authorized to accept service.

SUITABLE AGE PERSON

3 ☒by delivering thereat a true copy of each to Rachael "Deen" a person of suitable age

AFFIXING TO DOOR, ETC.

4 ☐

and discretion. Said premises is defendant's actual place of business-dwelling place-usual place of abode-within the state. by affixing a true copy of each to the door of said premises, which is defendant's actual place of business-dwelling place-usual place of abode-within the state. Deponent was unable, with due diligence to find defendant or a person of suitable age and discretion thereat, having called there

MAILING TO
RESIDENCE
USE WITH 3 OR 45A ☐MAILING TO
BUSINESS
USE WITH 3 OR 45B ☒

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to defendant at defendant's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class post paid envelope properly addressed to defendant at defendant's actual place of business, at 1460 Second Avenue, New York, N.Y. 10021, regular mail in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the defendant. 9/15/12DESCRIPTION
USE WITH
1, 2, OR 3☒

<input type="checkbox"/> Male	<input checked="" type="checkbox"/> White Skin	<input checked="" type="checkbox"/> Black Hair	<input type="checkbox"/> White Hair	<input type="checkbox"/> 14-20 Yrs.	<input type="checkbox"/> Under 5'	<input type="checkbox"/> Under 100 Lbs.
<input checked="" type="checkbox"/> Female	<input type="checkbox"/> Black Skin	<input type="checkbox"/> Brown Hair	<input type="checkbox"/> Balding	<input checked="" type="checkbox"/> 21-35 Yrs.	<input type="checkbox"/> 5'0"-5'3"	<input type="checkbox"/> 100-130 Lbs.
	<input type="checkbox"/> Yellow Skin	<input type="checkbox"/> Blonde Hair	<input type="checkbox"/> Mustache	<input type="checkbox"/> 36-50 Yrs.	<input checked="" type="checkbox"/> 5'4"-5'8"	<input checked="" type="checkbox"/> 131-160 Lbs.
	<input type="checkbox"/> Brown Skin	<input type="checkbox"/> Gray Hair	<input type="checkbox"/> Beard	<input type="checkbox"/> 51-65 Yrs.	<input type="checkbox"/> 5'9"-6'0"	<input type="checkbox"/> 161-200 Lbs.
	<input type="checkbox"/> Red Skin	<input type="checkbox"/> Red Hair	<input type="checkbox"/> Glasses	<input type="checkbox"/> Over 65 Yrs.	<input type="checkbox"/> Over 6'	<input type="checkbox"/> Over 200 Lbs.

Other identifying features:

USE IN
NYC CIVIL CT.☐

The words "CONSUMER CREDIT TRANSACTION" were prominently displayed at the top of the summons(es) and the additional legend was printed in not less than 12 point bold upper case type on the summons(es) pursuant to 22 NYCRR §208.6(d) and (f).

MILITARY
SERVICE☒

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatever and received a negative reply. Recipient wore ordinary civilian clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn to before me on September 5, 2012.

David M. Gross
DAVID M. GROSS
NOTARY PUBLIC, State of New York
No. 02GR6161493
Qualified in Nassau County
Commission Expires February 26, 2015

Joseph Rabus
PRINT NAME BENEATH SIGNATURE
JOSEPH RABUS.

License No. 1332042.